

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARY ANTHONY,)	
On behalf of Himself and Others)	Civil Action
Similarly Situated,)	No. 06-CV-4419
)	
Plaintiff)	
)	
vs.)	
)	
SMALL TUBE MANUFACTURING)	
CORP., doing business as)	
SMALL TUBE PRODUCTS CORP., INC.;)	
ADMIRAL METALS, INC.;)	
TUBE METHODS, INC., and)	
CABOT CORPORATION,)	
Individually and as Successor in)	
Interest to Cabot Berylco, Inc.,)	
Kawecki Berylco Industries, Inc.)	
and the Beryllium Corporation)	
c/o C.T. Corporation Systems,)	
)	
Defendants)	
)	
and)	
)	
AMETEK, INC.;)	
BRUSH WELLMAN, INC.; and)	
MILLENNIUM PETROCHEMICALS, INC.,)	
formerly known as)	
National Distillers and)	
Chemical Corporation,)	
)	
Third-Party Defendants)	

O R D E R

NOW, this 28th day of September, 2007, upon consideration of the Motion of Defendant Brush Wellman Inc. to Dismiss Amended Third-Party Complaint, which motion was filed January 26, 2007; upon consideration of Tube Methods, Inc.'s Response to Motion to Dismiss of Defendant Brush Wellman, Inc. to Dismiss Amended Third-Party Complaint, which response was filed

February 15, 2007; upon consideration of the Reply of Third-Party Defendant Brush Wellman Inc. to Tube Methods, Inc.'s Response to Motion to Dismiss Amended Third-Party Complaint, which reply brief was filed February 23, 2007; upon consideration of the memoranda of law filed by the parties; and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that the Motion of Defendant Brush Wellman Inc. to Dismiss Amended Third-Party Complaint is denied.

IT IS FURTHER ORDERED that third-party defendant Brush Wellman Inc. shall have until October 19, 2007 to file an answer to Tube Methods, Inc.'s Amended Third-Party Complaint.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge